

Official Report Of
Iowa Department of Public Safety
DCI Criminalistics Laboratory
2240 South Ankeny Boulevard
Ankeny, Iowa 50023-9093
(515) 725-1500

2016-00575 Report 1
LAB CASE NUMBER

10/17/2016
REPORT DATE

**Firearms / Toolmarks
Examination Report of
Victor M. Murillo**

See Code of Iowa Section 601.2 Presumption of qualification - evidence - testimony. "It shall be presumed that any employee or technician of the criminalistics laboratory is qualified or possesses the required expertise to accomplish any analysis, comparison, or identification done by the employee's employment in the criminalistics laboratory. Any report, or copy of a report, or the findings of the criminalistics laboratory shall be received in evidence, if determined to be relevant, in any court, preliminary hearing, grand jury proceeding, civil proceeding, administrative hearing, and forfeiture proceeding in the same manner and with the same force and effect as if the employee or technician of the criminalistics laboratory who accomplished the requested analysis, comparison, or identification had testified in person..."

AGENCY:	Dubuque Police Department	CASE TYPE:	Weapon Offenses
AGENCY CASE NUMBER:	2015-010983	OFFENSE DATE:	December 1, 2015
CASE OFFICER:	Nicholas Schlosser		
SUSPECT(S):	Reginald Darnell Shaw	VICTIM(S):	Camron Andrew Pete

Firearms / Toolmarks Examination Report

ITEMS AS DESCRIBED BY SUBMITTING AGENCY:

On January 07, 2016, Jeremy Mootz with Dubuque County Sheriff's Office submitted the following item(s) to Kathleen Kinseth (DCI Lab):

Lab #	Agency #	Description
1	1	Ruger 9mm handgun Model# 9E serial# 335-55300 with magazine containing 27 rounds.
2	2	Hi-point 9mm Model# C9 serial# p1758713 with magazine containing 8 rounds.
3	3	Taurus 9mm Model# millennium PT 111PRO serial# TEU86882 with magazine containing 11 rounds.
4	4	Ruger 9mm magazine containing 7 rounds.
5	5	Hornady box with 3 live R&P Luger 9mm rounds.
6	6	Bullet fragment found in 611 University, Dubuque Iowa.
7	7	9mm Hornady spent casing.
8	8	9mm Hornady spent casing.
9	10	9mm Hornady spent casing.
10	11	9mm Hornady spent casing.
11	12	9mm Hornady spent casing.
12	13	9mm Hornady spent casing.
13	14	9mm W.I.N spent casing.
14	15	9mm Hornady spent casing.
15	16	9mm Hornady spent casing.
16	17	9mm Hornady spent casing.
17	9	9mm Hornady spent casing.

RESULTS OF FIREARMS / TOOLMARKS EXAMINATION BY: Victor M. Murillo

- 1,4 The Ruger Model 9E, 9mm Luger semiautomatic pistol, bearing serial number 335-55300 (Item 1) was examined and test fired. The resulting test fired bullets and cartridge cases were recovered for comparison purposes. The test fired bullets and cartridge cases will be retained in the firearms section of the laboratory for a minimum of five years, until they are destroyed. The Ruger pistol was in good physical condition and mechanically functioned as the manufacturer intended. The pistol was submitted with one extended Pro-Mag magazine which intermittently functioned in the Ruger pistol. The magazine was slightly modified to fit in the

*AK
10/17/16
VMM*
Dubuque
Page 1 of 2

Ruger pistol and would cause the internal trigger bar to not move correctly. The trigger sometimes had to be manually reset to fire an additional shot. The magazine was submitted with twenty-seven (27) Winchester and Hornady 9mm Luger cartridges.

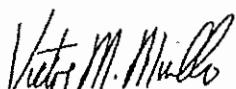
The Ruger magazine (Item 4) was also examined and functioned and fit in the Ruger pistol (Item 1).

- 1 vs. 13 The one (1) fired Winchester 9mm Luger cartridge case (Item 13) was identified as having been fired in the Ruger pistol (Item 1).
- 2 The Hi-Point C9, 9mm Luger semiautomatic pistol, bearing serial number P1758713 (Item 2) was examined and test fired. The resulting test fired bullets and cartridge cases were recovered for comparison purposes. The test fired bullets and cartridge cases will be retained in the firearms section of the laboratory for a minimum of five years, until they are destroyed. The Hi-Point pistol was in good physical condition and mechanically functioned as the manufacturer intended. The pistol was submitted with one loaded eight-round magazine which fit and functioned in the Hi-Point pistol. The magazine contained eight (8) Aguila and Remington-Peters 9mm Luger cartridges.
- 3 The Taurus Millenium PT111 Pro, 9mm Luger semiautomatic pistol, bearing serial number TEU86882 (Item 3) was examined and test fired. The resulting test fired bullets and cartridge cases were recovered for comparison purposes. The test fired bullets and cartridge cases will be retained in the firearms section of the laboratory for a minimum of five years, until they are destroyed. The Taurus pistol was in good physical condition and mechanically functioned as the manufacturer intended. The pistol was submitted with one loaded twelve-round magazine containing seven (7) Aguila and four (4) Remington-Peters 9mm Luger FMJ cartridges.
- 3 vs. 7-
12, 14-
17 The ten (10) fired Hornady 9mm Luger cartridge cases (Items 7, 8, 9, 10, 11, 12, 14, 15, 16 and 17) were identified as having been fired in the Taurus pistol (Item 3).
- 1,3 vs. 6 The one small fired copper-jacketed lead bullet fragment (Item 6) was examined and weighed 11.0 grains and reflected one land with a right-hand twist. The rifling information on the bullet fragment was similar in class characteristics to the rifling on the test fired bullets from both of the pistols (Items 1 and 3). The results of the microscopic examinations and comparisons between the fragment (Item 6) and the pistols (Items 1 and 3) were inconclusive.
- Images of one of the test fired cartridge cases (Items 1, 2 and 3) were entered and searched in the National Integrated Ballistics Information Network (NIBIN) databases in Iowa, Illinois and Nebraska, resulting in no matches at this time. The images will be retained in the NIBIN databases for future correlations. The fired bullets do not meet laboratory criteria for NIBIN entry. The laboratory's current NIBIN system is not capable of capturing bullet images.
- 5 The one box of Hornady Critical Duty 9mm Luger ammunition (Item 5) was noted to possess three (3) Remington-Peters 9mm Luger FMJ cartridges.

DISPOSITION OF EVIDENCE

The examined items will be returned to the submitting agency under separate cover.

This report may contain opinions, conclusions or interpretations of the examiner whose signature appears below.



Victor M. Murillo, Criminalist

AK
10/17/14
CWB
Page 2 of 2

**IOWA DEPARTMENT OF PUBLIC SAFETY
DIVISION OF CRIMINAL INVESTIGATION
LABORATORY RECEIPT**

Assigned Date/Time: January 07, 2016 15:02:00

Case Number: 2016-00575

Crime: Weapon Offenses
Date of Occurrence: 12/01/2015
Location of Offense: 611 University #1
How Received at Lab: Hand Delivered
Submission Case Officer: Nicholas Schlosser
Submission Agency: Dubuque Police Department
Submission Agency Case #: 2015-010983

Name of Case Officer(CO): Nicholas Schlosser
Agency Name: Dubuque Police Department
Co E-mail Address: nschloss@cityofdubuque.org
Agency Phone: 563-589-4411
Agency Case #: 2015-010983
Delivery Officer: Jeremy Mootz
Agency of D.O.: Dubuque County Sheriff's Office

Name Type	Name	Race	Sex	DOB	ID
S	Shaw, Reginald Darnell	B	M	09/25/1991	DCI# - 01034092 SSN# - 356862221 FBI# - IA01034892 DL# - S0007249134504
S	Pete, Camron Andrew	B	M	04/28/1992	DCI# - 00900885 SSN# - 387112979 DL# - 462AF5893 FBI# - 48667JD1

SIGNATURE OF DELIVERY OFFICER

Jeremy Mootz Dubuque County SO

RECEIVED IN LABORATORY BY:

Kathleen Kinseth
Evidence Technician

SPECIAL REQUESTS OR INFORMATION

Submission Comments: Dubuque police investigated a shooting on 12/1/2015 and during that investigation located items #4,6,7,8,9,10,11,12,13,14,15,16,17. On 12/5/2015 Police made a traffic stop and took at into evidence items #1,2,3 and 5. Suspect Shaw told police that Pete did the shooting and used items #1 and 3. Shaw said he did not shoot and had item #2. Please check the functionality of items #1,2,3 and check to see if item #4 was used in item #1 and also check to see if items #6,7,8,9,10,11,12,13,14,15,16 and 17. Also see if items #6,7,8,9,10,11,12,13,15,16 and 17 are the same brand as the box of item #5.

OFFENSES: Firearms - Property Damage
Firearms - Felon In Possession

Item#	Package	Item Description	Item Type	Dept. Item Number	Service Requested
1	Sealed Box	Ruger 9mm handgun Model# 9E serial# 335-55300 with magazine containing 27 rounds.	Firearm	1	FA-C, FA-E, FA-N

2	Sealed Box	Hi-point 9mm Model# C9 serial# p1758713 with magazine containing 8 rounds.	Firearm	2	FA-E, FA-C, FA-N
3	Sealed Box	Taurus 9mm Model# millennium PT 111PRO serial# TEU86882 with magazine containing 11 rounds.	Firearm	3	FA-N, FA-E, FA-C
4	Sealed Paper Bag	Ruger 9mm magazine containing 7 rounds.	Firearm Accessory (Scope,Sling, Magazine)	4	FA-C
5	Sealed Paper Bag	Hornady box with 3 live R&P Luger 9mm rounds.	Firearm Accessory (Scope,Sling, Magazine)	5	FA-C
6	Sealed Envelope	Bullet fragment found in 611 University, Dubuque Iowa.	Bullet Fragment(s)	6	FA-C
7	Sealed Envelope	9mm Hornady spent casing.	Cartridge Case(s) Fired	7	FA-C
8	Sealed Envelope	9mm Hornady spent casing.	Cartridge Case(s) Fired	8	FA-C
9	Sealed Envelope	9mm Hornady spent casing.	Cartridge Case(s) Fired	10	FA-C
10	Sealed Envelope	9mm Hornady spent casing.	Cartridge Case(s) Fired	11	FA-C
11	Sealed Envelope	9mm Hornady spent casing.	Cartridge Case(s) Fired	12	FA-C
12	Sealed Envelope	9mm Hornady spent casing.	Cartridge Case(s) Fired	13	FA-C
13	Sealed Envelope	9mm W.I.N spent casing.	Cartridge Case(s) Fired	14	FA-C
14	Sealed Envelope	9mm Hornady spent casing.	Cartridge Case(s) Fired	15	FA-C
15	Sealed Envelope	9mm Hornady spent casing.	Cartridge Case(s) Fired	16	FA-C
16	Sealed Envelope	9mm Hornady spent casing.	Cartridge Case(s) Fired	17	FA-C
17	Sealed Envelope	9mm Hornady spent casing.	Cartridge Case(s) Fired	9	

2011
11/11/16

IOWA DEPARTMENT OF PUBLIC SAFETY
DIVISION OF CRIMINAL INVESTIGATION

FIREARMS WORKSHEET

PACKAGING:

3 brc pistol + sep loaded magz

CASE FILE #

2016-575

DATE *10/11/16*

EXHIBIT

2

EXAMINER

MH

TRADE NAME

Hi-Point

MANUF.

Hi-Point Firearms (Deschutes Inc.)

MODEL

C9

FINISH / COMP

Blue/polymer

CAL / GAUGE

9mm Luger

FIREARMS DESCRIPTION AND TYPE (Rifle,
Shotgun, Pistol) (Revolver, Semiauto)

Pistol, semi Auto

SERIAL NUMBER & LOCATION

P1758713 bottom front of frame

TYPE OF SAFETY & LOCATION

magazine / thumb activ. trigger block/ear block

SAFETY FUNCTIONAL Y / N

yes

yes

lot of frame

BBL LENGTH

~3 1/2 "

CHOKE SIZE

n/a

n/a

CHAMBER LENGTH

9mm L

SCREW-IN CHOKE

y/n

n/a

OVERALL LENGTH

~6 3/4 "

TRIGGER PULL S/A

8 3/4 lbs

D/A n/a

NO. LANDS & GROOVES, DIR. TWIST

3L

CYLINDER ROTATION

CW / CCW

CAP

FPN CLASS

hemis

BREECHFACE CLASS

P

hemi's

EXT LOC

3

EJT LOC

FPN

DET. MAG

✓

MAG. UNDER BBL

n/a

MAG. IN BUTT

n/a

CAP

8+1

PHYSICAL CONDITION:

Good

BARREL CONDITION:

Good

MECHANICAL CONDITION:

Good

ADDITIONAL INFORMATION:

mag c 6 Aguila and 2 R.P 9mm L FMJ cartridges
5) 3 saddle plastic bag c one box of Hornady Crit Dotsy, 25rd box, 9mm Luger +P
135gr Flexlock # 90226, Lot# 166132 c 3 R.P 9mm L FMJ cartridges

TEST FIRES -

3

AMMO REFERENCE -

VB

T2T Exam, Bullet-

CC

NIBIN
 IBIS Y / N
 ID TO Case #

Bullet / CC

HIT

Y / N

10/11/16

10/11/16

10/11/16

10/11/16



IOWA DEPARTMENT OF PUBLIC SAFETY
DIVISION OF CRIMINAL INVESTIGATION

FIREARMS WORKSHEET

PACKAGING: 3 box & pistol + Sep loaded mag

CASE FILE # 16-575

DATE 10/11/16

EXHIBIT 3

EXAMINER M1 (BRAZIL)

TRADE NAME Taurus MANUF. Taurus Int Mfg. Inc.

MODEL PT111 PRO FINISH / COMP Matt Black CAL / GAUGE 9mm PARA

FIREARMS DESCRIPTION AND TYPE (Rifle,
Shotgun, Pistol) (Revolver, Semiauto)

SERIAL NUMBER & LOCATION

TEU86882 R+ side of slide/rear frame

TYPE OF SAFETY & LOCATION

trigger block L of frame

SAFETY FUNCTIONAL Y / N

YES

BBL LENGTH

~3 1/4 "

CHOKE SIZE

n/a

CHAMBER LENGTH

9mm L

SCREW-IN CHOKE

Y/N

n/a

OVERALL LENGTH

~6 1/4 "

TRIGGER PULL S/A

5 1/4 lbs

D/A

7 1/2 lbs

NO. LANDS & GROOVES, DIR. TWIST

4R

CYLINDER ROTATION

CW

CAP

n/a

FPN CLASS

homis

BREECHFACE CLASS

P

EXT LOC

4

EJT LOC

8

DET. MAG

✓

MAG. UNDER BBL

n/a

MAG. IN BUTT

n/a

CAP

12+1

PHYSICAL CONDITION:

Good

BARREL CONDITION:

Good

MECHANICAL CONDITION:

Good

ADDITIONAL INFORMATION:

PT111 Pro 9mm mag 7 Aguila and 4 R.P 9mm L FMJ cartridges

TEST FIRES - 3

AMMO REFERENCE 1AB

T2T Exam, Bullet-

CC-

NIBIN

ID TO Case #

Bullet CC

HIT Y/N

IOWA DEPARTMENT OF PUBLIC SAFETY
DIVISION OF CRIMINAL INVESTIGATION

BULLET WORKSHEET

Case File Number: 16-575

Date: 10/11/16

Examiner: Wm

Laboratory Item	6							
Packaging								
Contributor Item								
Source of Item								
Caliber	unknown							
Type	Cu/Pb frag							
No. L & G	1 LI VIS							
Dir. Twist	R							
Wt. Grains	11.0							
Width of L. Imp.	.088							
Width of G. Imp.								
Shape of Base	unknown							
Cannelures	none VIS							
Manufacturer	unknown							
Contamination	dirty							
Damage	frag only / twisted OT nose / distorted							
NIBIN	No							

REMARKS: 6 X Tests 1+3

Semi-class - Item 6 distorted + bent

IRSCiff. indiv:

Inconclusive results

169
10/14/16



DCIL FIR-03. Approved 11-24-10

(=) Identification, (~) Class Only (inconclusive)

10
11/16/16

IOWA DEPARTMENT OF PUBLIC SAFETY
DIVISION OF CRIMINAL INVESTIGATION

Fired Cartridge Case Worksheet

Pkg

Case File No: 2016-575

Date: 10/11/16

Examiner: M

Laboratory Item	7,8,9,10,11,12,14,15,16,17			13				
Contributor Item								
Source of Item								
Caliber/Gauge	9mm L			Gen L				
Headstamp								
Primer Finish	Br.			Br.				
Case Finish	Ni			Ni				
Manufacturer	Hornady			Winchester				
FP	HEMIS			hemis				
EX								
EJ								
BF	P			P				
Contamination	none			none				
Condition	snd photos			snd photos				
NIBIN								

Remarks:

$3TF = 7 = 8 = 9 = 10 = 11 = 12 = 14 = 15 = 16 = 17$

$1TF = 13$



ID confirmed
10/13/16 CUBS

ID confirmed
(=) Identification, (-) Class Only (inconclusive)
10/13/16 CUBS



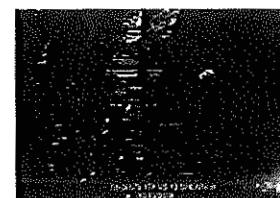
16-00575 1TF VS 13 SHEAR



16-00575 1TF VS 13 SHEAR2



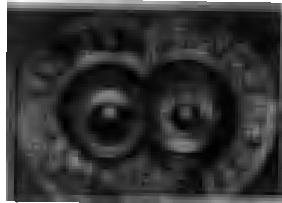
16-00575 1TF VS 13 SHEAR3



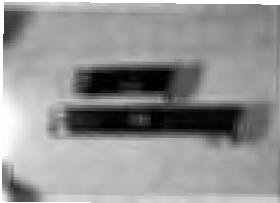
16-00575 1TF VS 13 SHEAR4



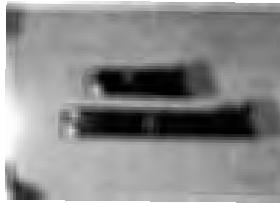
16-00575 3TF VS 7 SHEAR



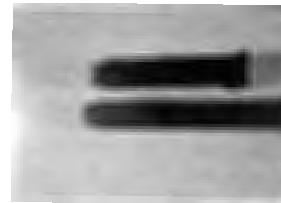
16-00575 3TF VS 7



DSC_0001



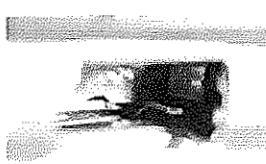
DSC_0002



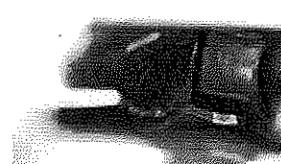
DSC_0003



DSC_0004



DSC_0005



DSC_0006



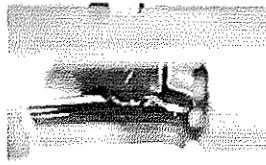
DSC_0007



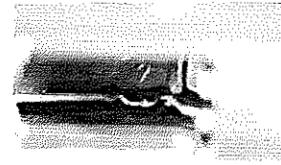
DSC_0008



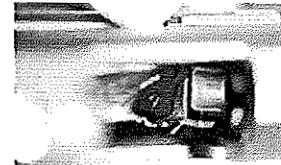
DSC_0009



DSC_0010



DSC_0011



DSC_0012

16-515
8 of 11
10/11/16

IBISTRAX HD3D MATCHPOINT

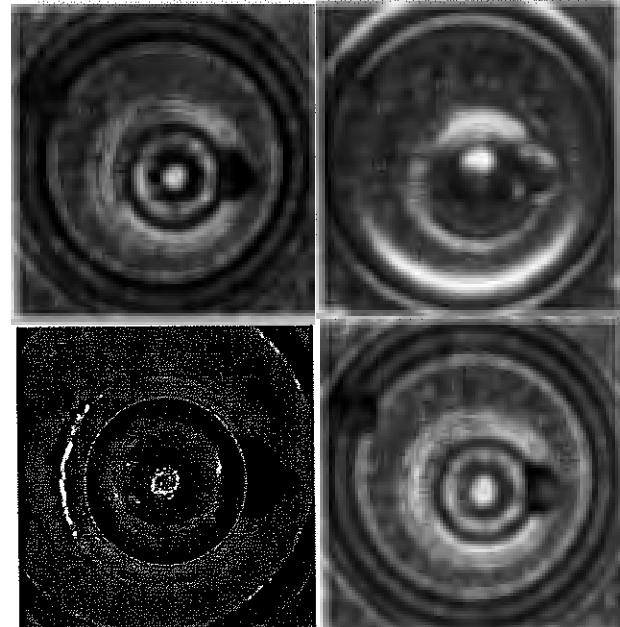
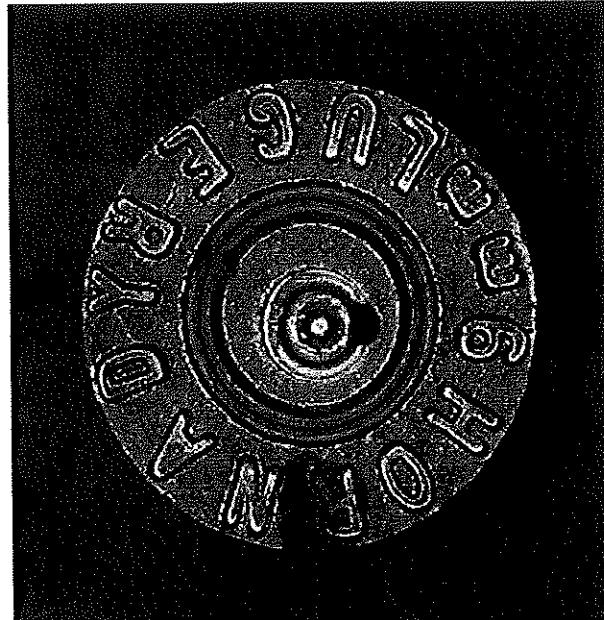
Exhibit Information



FORENSIC
TECHNOLOGY

Case Details

Case Number: 16-00575
Site Name: IA-DCINBR1
Originating Agency: IA-DUBUQUE PD
Ori. Agency Ref.: 2015-010983
High Profile:
Event Type: Assault
Supervisor: Victor M. Murillo
Occurrence: 12/1/2015
Creation: 10/13/2016 1:59:31 PM
Created By: Victor M. Murillo
Modification: 10/13/2016 1:59:31 PM
Modified By: Victor M. Murillo
Comments:



Cartridge Case Exhibit Details

Exhibit Number: 1/TF
Caliber: 9 mm Parabellum
Make: Hornady Mfg. Co.
Firing Pin Shape: Circle
Composition: Brass Primer / Nickel Case
Double-Cast Comp.:
Category: Crime Test Fire: Terminated
Firearm Exhibit:
Occurrence: 12/1/2015
Creation: 10/13/2016 2:00:15 PM
Created By: Victor M. Murillo
Modification: 10/13/2016 2:06:51 PM
Modified By: Victor M. Murillo
Last Acquisition: 10/13/2016 2:06:50 PM
Last Acq. By: Victor M. Murillo
BF Class Char.: Parallel, Crosshatch, Granular, Smooth
Firing Pin Outline ø: 0.066 inch
BF Inner Outline ø: 0.064 inch
BF Outer Outline ø: 0.139 inch
Comments:
sr9mmpl dubq pd

Ejector - 6 o'clock Side Light Not available	Ejector - 3 o'clock Side Light Not available
---	---

For official use only

Sensitive but unclassified

10/17/2016

Case 2:16-cr-01011-CJW-MAR Document 85-1 Filed 11/01/16 Page 11 of 14 11

Victor M. Murillo

Page 1 of 1

9/17/16
10/17/16

IBISTRAX HD3D MATCHPOINT

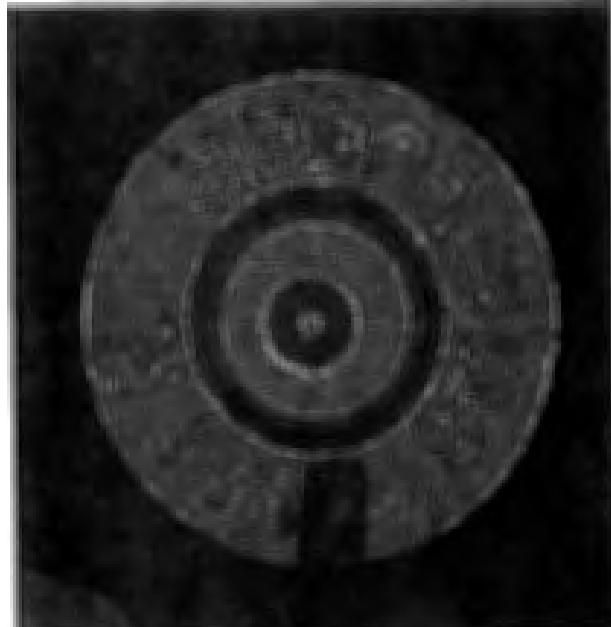
Exhibit Information



FORENSIC
TECHNOLOGY

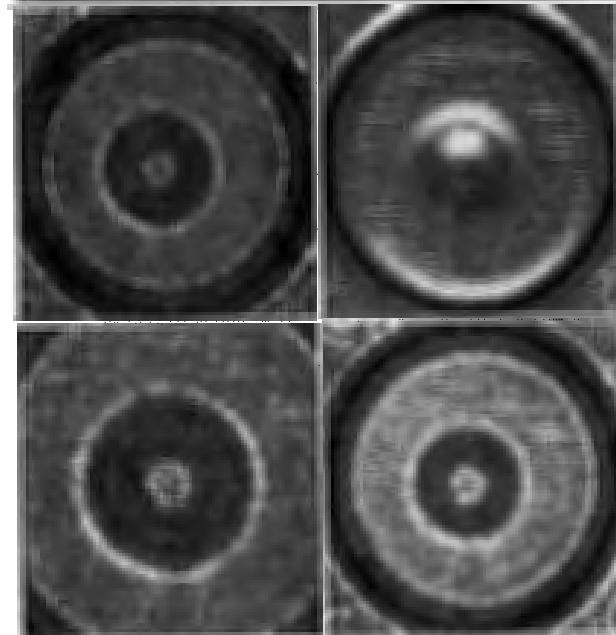
Case Details

Case Number: 16-00575
Site Name: IA-DCINBR1
Originating Agency: IA-DUBUQUE PD
Ori. Agency Ref.: 2015-010983
High Profile:
Event Type: Assault
Supervisor: Victor M. Murillo
Occurrence: 12/1/2015
Creation: 10/13/2016 1:59:31 PM
Created By: Victor M. Murillo
Modification: 10/13/2016 1:59:31 PM
Modified By: Victor M. Murillo
Comments:



Cartridge Case Exhibit Details

Exhibit Number: 2/TF
Caliber: 9 mm Parabellum
Make: Winchester div., olin corp.
Firing Pin Shape: Circle
Composition: Brass Primer / Brass Case
Double-Cast Comp.:
Category: Crime Test Fire: Terminated
Firearm Exhibit:
Occurrence: 12/1/2015
Creation: 10/13/2016 2:07:54 PM
Created By: Victor M. Murillo
Modification: 10/13/2016 2:13:57 PM
Modified By: Victor M. Murillo
Last Acquisition: 10/13/2016 2:13:56 PM
Last Acq. By: Victor M. Murillo
BF Class Char.: Parallel, Crosshatch
Firing Pin Outline ø: 0.069 inch
BF Inner Outline ø: 0.077 inch
BF Outer Outline ø: 0.147 inch
Comments:
hih9mmpli dubq pd



Ejector - 6 o'clock Side Light Not available	Ejector - 3 o'clock Side Light Not available
---	---

IBISTRAX HD3D MATCHPOINT

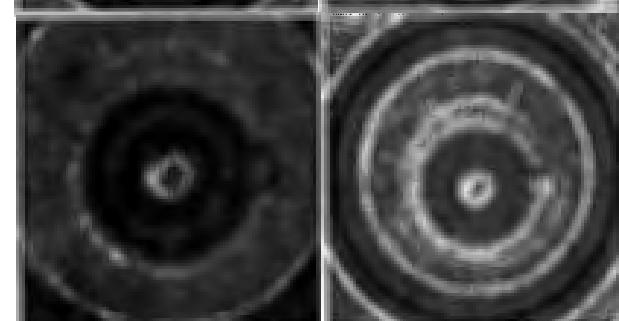
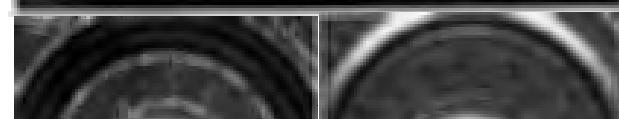
Exhibit Information



FORENSIC
TECHNOLOGY

Case Details

Case Number: 16-00575
Site Name: IA-DCINBR1
Originating Agency: IA-DUBUQUE PD
Ori. Agency Ref.: 2015-010983
High Profile:
Event Type: Assault
Supervisor: Victor M. Murillo
Occurrence: 12/1/2015
Creation: 10/13/2016 1:59:31 PM
Created By: Victor M. Murillo
Modification: 10/13/2016 1:59:31 PM
Modified By: Victor M. Murillo
Comments:



Ejector - 6 o'clock Side Light Not available	Ejector - 3 o'clock Side Light Not available
---	---

10/17/16
tas9mmpl dubq pd
10/17/16

10/17/2016

Victor M. Murillo

For official use only

Sensitive but unclassified

Page 1 of 1

Case 2:16-cr-01011-CJW-MAR Document 85-1 Filed 11/01/16 Page 13 of 14 13

From: Murillo, Vic [DPS] [mailto:murillo@dps.state.ia.us]
Sent: Monday, October 31, 2016 9:35 AM
To: Hunt, Timothy J. (ATF) <Timothy.J.Hunt@usdoj.gov>; Vavricek, Tim (USAIAN) <Tavavricek@usa.doj.gov>
Cc: nschloss@cityofdubuque.org
Subject: RE: VM / Pete Sentencing / Extended Magazine

Tim, just to clarify, the pistol will function and fire the first round with the magazine, so it will operate correctly for one shot. it's the follow-up shot that was intermittent, due to the magazine. so the second and any additional shots fired are the problem. this is consistent with the evidence in the case, in that only one fired cartridge case was matched to that firearm. I assume the firearm became non-functional after the first round. that is when the trigger had to be manually reset by the operator.

thanks for the update and good luck with your case.

vic

Victor M. Murillo, Criminalist
Firearms and Toolmarks Section
Iowa Division of Criminal Investigation
Criminalistics Laboratory
2240 South Ankeny Boulevard
Ankeny, Iowa 50023

(515) 725-1500 wk.
(515) 559-7062 wk. cell
(515) 725-1520 fax

NOTICE This email message (including any file attachments transmitted with it) is for the sole use of the intended recipient(s) and may contain confidential and legally privileged information. Any unauthorized use or disclosure of this email by an unintended recipient is prohibited. If you have received this email in error please notify the sender by return email and destroy all copies of the original message. No representation is made that this email or any attachments are free of viruses. Virus scanning is recommended and is the responsibility of the recipient.